

LEE DAVID KLEIN, ESQ  
ATTORNEY AT LAW  
11 MARKET STREET, SUITE 204  
POUGHKEEPSIE, NEW YORK 12601

TEL: (845) 454-9200  
FAX: (845) 454-6612  
EMAIL: LKLEIN@LKLEIN-LAW.COM

MEMBER NY AND CT BAR

THIS FIRM DOES NOT ACCEPT  
SERVICE BY FACSIMILE TRANSMISSION

SUSAN SAMMUT, LEGAL ASSISTANT

December 27, 2007

VIA FACSIMILE TO: 914-390-4085  
AND REGULAR MAIL

Hon. Charles L. Brieant  
United States District Judge  
United States District Court, Southern District of New York  
United States Courthouse  
300 Quarropas Street, Room 633  
White Plains, New York 10601-4150  
Attn: Ms. Alice Cama, Deputy Clerk

*Hon. Charles L. Brieant  
Denied  
So Ordered  
Jan 2, 2008  
Charles L. Brieant  
U.S.D.J.*

Re: Eric K. Merring v. the Town of Tuxedo, New York, the Town of Tuxedo Police Department, Town of Tuxedo Police Officer Anthony Della, Shield Number 24, Town of Tuxedo Police Sergeant Patrick Welsh, Shield Number 17  
United States District Court, Southern District of New York  
Index Number: 07CV10381  
Court Conference Date: January 18, 2008, at 9:00 a.m.

Dear Ms. Cama:

I represent the plaintiff in connection with the above-referenced matter, which is currently scheduled for conference as referenced above.

This correspondence will serve to confirm my request for a rescheduling to January 15, 2008, at 9:00 a.m., with consent from John Walsh, Esq., the attorney for the defendants, due to my scheduling requiring me to be in your Court on January 15, 2008, on another matter, at 11:00 a.m., for mediation in the matter of Arlen Lamar Haymes, Sr. v. The Town of Poughkeepsie, The

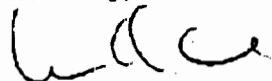
Hon. Charles L. Brieant  
United States District Judge  
United States District Court, Southern District of New York  
United States Courthouse  
Attn: Ms. Alice Cama, Deputy Clerk  
Page 2

Town of Poughkeepsie Police Department, Melchiorre Bruschetti, Brian Plotti, Matthew Orser, Michael Clear and Colin Bell, 06 CIV. 7751.

Please advise if this new date and time is acceptable to the Court.

Thank you for your assistance in this matter.

Sincerely,



Lee David Klein

LDK:ss

cc: John Walsh, Esq. (via facsimile & regular mail)  
Client